

United States Courts  
Southern District of Texas  
FILED

SEP 08 2022

Nathan Ochsner, Clerk of Court

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA

Vs.

Jaziel Perez

## CRIMINAL COMPLAINT

Case Number: C-22-1017M

I, the undersigned complainant state that the following is true and correct to the best of my knowledge and belief. On or about September 7, 2022 in Kenedy County, in the Southern District of Texas, defendant, Jaziel Perez

whoever flees or evades a checkpoint operated by the Immigration and Naturalization Service, or any other Federal law enforcement agency, in a motor vehicle and flees Federal, State, or local law enforcement agents in excess of the legal speed limit, a felony

in violation of Title 18 United States Code, Section(s) 758  
I further state that I am a(n) Border Patrol Agent and that this complaint is based on the following facts:  
Official Title

See Attached Affidavit of U.S. Border Patrol Agent RUBEN C. GUERRA JR

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on the:

September 8, 2022

DATE

Jason B. Libby U.S. Magistrate Judge

Name and Title of Judicial Officer

at

Corpus Christi, Texas

City and State

Signature of Judicial Officer

Signature of Complainant

Ruben C. Guerra Jr

Printed Name of Complainant

## **AFFIDAVIT**

The information contained in this report/affidavit is based upon my personal participation in the investigation, which included, but is not limited to information relayed to me by other agents and officers participating in the investigation.

### **FACTS/DETAILS:**

At approximately 10:30 p.m., on September 7, 2022, a black Dodge Dart, driven by Jaziel PEREZ, entered the primary inspection lane at the United States Border Patrol Checkpoint, near Sarita, Texas. The primary agent asked PEREZ if he was a United States citizen, to which PEREZ stated he was. PEREZ handed the primary agent his Texas identification card and birth certificate. The primary agent asked PEREZ if he would allow him to look in the trunk of the vehicle and PEREZ replied, "No." The canine handler advised the primary agent that his service canine had alerted to the trunk of the vehicle and instructed the agent to refer the vehicle to the secondary inspection area. The primary agent then gave PEREZ instructions to park the vehicle in the secondary inspection area due to the canine alert. PEREZ proceeded to the secondary inspection area, but then fled the checkpoint at a high rate of speed.

As the vehicle fled the checkpoint, agents got into a service unit, activated the emergency equipment, and pursued the Dodge Dart. As agents pursued the vehicle, they were able to see the vehicle's tail lights in the distance. About a mile north of the checkpoint, the pursuing agents could no longer see the vehicle's lights and believed the PEREZ may have turned the vehicle's lights off. As the agents approached the Kenedy County Rest Area, the agents saw the vehicle's brake lights illuminate and observed the vehicle drive off the road into the grass on the east side of the highway. Agents approached the vehicle and assisted PEREZ out of the vehicle by breaking out the rear window. Agents asked PEREZ if anyone else was traveling with him, and he stated there was somebody in the trunk. Agents then assisted a sixteen-year-old male citizen of El Salvador out of the trunk. Agents interviewed the juvenile, and determined he was illegally present in the United States. EMS arrived on scene and evaluated both PEREZ and the juvenile. PEREZ was transported to the hospital for further evaluation.

### **MIRANDA RIGHTS WARNING:**

PEREZ was advised of his Miranda Rights in the English language.

### **PRINCIPAL STATEMENT (Jaziel Perez):**

PEREZ stated on September 7, 2022, after going to pay his respects to his girlfriend's father, he met with an acquaintance named "Chapin." PEREZ stated "Chapin" told him to look under the table, and PEREZ noticed "Chapin" was holding a chrome gun pointed at him. PEREZ stated "Chapin" told him he was going to give him and his brother a ride to Raymondville, Texas or other things were going to happen. PEREZ stated that after arriving Raymondville, he stopped at a dark road or parking lot and that "Chapin" exited the vehicle and retrieved a backpack from the trunk and that "Chapin's" brother must have slipped into the trunk without him noticing.

At approximately 2:15 a.m., PEREZ stated he wanted to speak with agents again because he was not completely truthful during the initial interview. During the second interview, PEREZ stated he traveled from Houston, Texas to McAllen, Texas with the purpose of driving three people

back to Houston. PEREZ stated he was recruited as a driver by an individual that goes by the nickname, "Chapin." PEREZ stated he and an unknown individual traveled from Houston in separate vehicles. Once in McAllen, PEREZ and the other subject stopped at a taqueria to eat. PEREZ found out he was only transporting one person to Houston because the other two had not paid. PEREZ stated they left the taqueria and went to a gas station to fuel up. PEREZ stated he went to a Walmart parking lot after getting fuel. PEREZ stated he was on the phone when an unknown subject tapped on the window and asked if he was "Chapin's" guy. PEREZ stated he told the subject he was and instructed him to get into the back seat of the vehicle. PEREZ stated he drove to Raymondville and the subject suggested he should get into the trunk. PEREZ stated he stopped in Raymondville and let the subject into the trunk. PEREZ stated he opened the trunk from inside the vehicle. PEREZ stated the subject sprayed himself with body spray and climbed into the trunk and closed it using the emergency latch. PEREZ stated he told the subject to be quiet and not move around once they arrived at the checkpoint. PEREZ stated once the agent instructed him to go to secondary, the subject told him to take off, so he did. PEREZ stated he turned the lights off as they were leaving the checkpoint and did not know how fast he was traveling.

**DISPOSITION:**

The facts of this case were presented to the Assistant United States Attorney's Office who accepted Jaziel Perez for prosecution of 18 USC 758, High Speed Flight from An Immigration Checkpoint.

  
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Ruben C. Guerra Jr.  
Border Patrol Agent

Submitted by reliable electronic means, sworn to, signature attested telephonically per Fed.R.Crim.P.4.1, and probable cause found on this day September 8, 2022.

  
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Jason B. Libby  
United States Magistrate Judge